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1. Introduction

This program document describes the structure, policies, and responsibilities of the River Protection Project-Waste Treatment Plant (RPP-WTP) Project Employee Concerns Program (ECP). This program applies to employee concerns of a safety, health, and environmental nature.

This program does not cover equal employment opportunity, sexual harassment, or other work place concerns not associated with safety, health, and the environment. BNFL Inc. has programs to address these other areas of concern. For such concerns, employees can refer to the BNFL Inc. procedures.

The RPP-WTP Project ECP supports the employee's right to bring unresolved issues or concerns to the attention of management at any level within their own employment entity/organization structure. Employees are encouraged to first use the issue resolution methods identified in internal procedures; however, external organizations that are available for reporting concerns are also identified in those procedures for use of RPP-WTP Project employees.

The ECP has been designed to apply throughout the RPP-WTP Project life cycle: design, construction, operation, and deactivation. The ECP is intended for the use of both direct Project employees and subcontractor employees and has as its basis, the DOE ECP policy established in RLID 5480.29, RL Employee Concerns Program.

2. Policy

The RPP-WTP Project senior management and organization are committed to open, two-way communication with employees, including subcontractor employees. Employees are encouraged to promptly report concerns regarding safety, health, environmental protection, compliance with laws and regulations, quality, fraud, waste, or mismanagement of government resources, or reprisals through normal project processes. These processes include dialogue between employees and management, or referral to service organizations (Safety or Human Resources, for example). The RPP-WTP Project senior management and organization endorse and encourage participation in the ECP if normal methods have not effectively addressed an employee's concern. Employees are also encouraged to identify near miss and non-consequential events to ensure that opportunities for improved operations are considered.

Management is committed to prompt resolution of concerns. However, if the employee either believes normal methods have not been effective or does not wish to use normal methods, the employee can go directly to the RPP-WTP Project ECP that has been designed to supplement the normal project processes, programs, or systems for identifying and dealing with safety, health, and environmental concerns. All concerns reported to the ECP are important and will be handled in a similar manner through the ECP process. The ECP cannot, however, be used to replace the grievance process that is in place for bargaining unit personnel, although the project reserves the right at all times to investigate claims of fraud or other serious mismanagement. Confidentiality and anonymity (as required) will be observed.

Freedom of expression cannot co-exist with fear of reprisal. For the RPP-WTP Project, no employee who identifies a concern will be subjected to any form of reprisal or retribution. Reprisal or retribution includes activities such as intimidation, dismissal, or any other manner of employee discriminating against an employee based on protected conduct. Definitions of protected activities, reprisal and retribution, and protection procedures are specified in 29 CFR 24 and 10 CFR 708. Any project

employee, including supervisors and managers, who engages in reprisal in response to an employee concern shall be subject to disciplinary action which may include discharge.

This policy information is provided to employees in mandatory ECP orientation training. During ECP training RPP-WTP Project senior management endorses and encourages participation in the ECP.

3. Definitions

Employee Concern	A good faith expression by an employee that a policy or practice of DOE or one of its contractors or subcontractors should be improved, modified, or terminated. Concerns can address issues such as safety, health, the environment, management practices, fraud, waste, or reprisal for raising a concern.
Imminent Danger Condition/ Concern	Any condition or practice in any workplace that creates a danger that could reasonably be expected to cause death or serious physical harm immediately or before the onset of such danger could be eliminated through the normal procedural mechanism.

4. Employee Concern Program Structure

The ECP is directed by the Employee Concerns Program Officer and administered by the Employee Concerns Program Coordinator and provides processes for employees to initiate concerns and for the investigation and resolution of those concerns. Project implementing documents address reporting, investigating, and resolving concerns.

4.1. Employee Concerns Program Officer and Coordinator

The ECP Officer and Coordinator duties are regarded as high priority. Management will support the performance of these duties by 1) recognizing and supporting the need to keep employee concern information confidential, and 2) providing office facilities which allow ready access by concerned employees, privacy for discussions and secure records storage.

4.2. Initiating a Concern

Employees can identify an issue they want resolved through the ECP by contacting any manager, the ECP Coordinator, or the Project ECP Officer in writing or by telephone. At any stage of the concern resolution process, an employee may elevate the concern to more senior levels of management or to DOE.

An employee may include their name with the concern but ask that their name be kept in confidence. The employee's desire for confidentiality will be honored unless, in the judgment of senior project management or the Project ECP Officer, keeping this confidence would seriously jeopardize safety, quality, environmental protection, or compliance with laws or DOE regulations. However, before an employee's name is used when confidentiality has been requested and agreed upon, the employee will be notified and the employee's name will only be made available to personnel with a valid need-to-know. If the employee informs the ECP Officer that confidentiality is required regardless of the circumstances surrounding the concern, the ECP Officer shall pursue the issue with the RPP-WTP Project legal staff.

If the employee desires, a concern may be submitted anonymously. The ECP representative will use the information available to have anonymous concerns investigated to the degree appropriate to the significance and urgency of the concern, recognizing that concerns are often more difficult to resolve without discussion with the person making the complaint. The employee making the anonymous concern may contact the ECP Officer or Coordinator by telephone to learn of actions taken to resolve the anonymous concern.

4.3. Investigation and Corrective Action

After an employee has submitted a concern, the concern is categorized as: (1) an imminent danger or immediate threat to health, safety, quality, or the environment or a continuing case of misconduct; (2) an event requiring a report to regulatory agencies; or (3) a problem of lesser significance. The potential for or presence of significant impact or imminent danger shall be the first consideration in evaluating an employee concern, followed by timely, appropriate investigation and action. The employee should receive acknowledgement of the receipt of the concern within 5 working days and resolution of the concern within 30 working days. A written record of the concern, information obtained during the investigation process, contact with the concerned employee, and actions taken to resolve the concern will be kept in a secure environment. Employees will be kept informed of the progress of the investigation and any corrective action relating to the concern.

Concerns that are not related to safety, health or environmental areas (e.g., employee relations, company policy, or labor relations) will be referred to the appropriate manager for response.

4.4. Reporting Requirements

The ECP Officer will provide quarterly reports to the RPP-WPT General Manager and to the DOE –RU Employee Concerns Program Manager. The report will summarize significant ECP issues, overall program statistical information, and program enhancements. The report will be prepared in a manner that provides confidentiality to employees that have submitted concerns.

The ECP officer will also report progress and corrective actions, if any, to employees that have submitted concerns. The report does not have to be a written report.

5. Employee Concern Program Participant Responsibilities

5.1. ECP Staff

The ECP Officer and Coordinator(s) will be nominated by senior management and will be chosen in accordance with the qualification standards prescribed by management in program implementing documents.

The ECP Officer is responsible for taking necessary actions to ensure the program's success. These actions include:

1. informing employees of their rights to raise issues;
2. providing information such as phone numbers of individuals or organizations employees can contact;
3. ensuring that concerns are investigated and resolved in a timely manner;
4. establishing criteria for investigation and resolution of concerns;
5. implementing the administrative controls to support the program;

6. developing effective program training that provides senior management endorsement of the ECP;
7. submitting reports; and
8. ensuring the ECP policies and practices conform to the authorization basis.

The ECP Officer will be assisted by the ECP Coordinator(s) in administration of the ECP. Guidance and specific responsibilities of the ECP Officer and Coordinator(s) are contained in Project implementing documents.

5.2. RPP-WTP Project Organization Managers

RPP-WTP Project managers and supervisors are responsible for establishing a work climate that encourages free flow of communication between employees and managers. If employees are uncomfortable discussing an issue with members of their management chain, this program provides other paths for issue identification (including discussion with other managers within the work group, within company service groups, or at upper levels of management). Managers are expected to listen, to promptly evaluate the presence of or potential for imminent danger; and to investigate and take appropriate responsive actions, if any, in an effective, timely manner. They also have the responsibility to seek help from upper management or other sources with the needed expertise or authority to resolve a concern. Managers are responsible for discussing delays in resolution with the employees reporting concerns as well as the basis for each appropriate responsive action, if any. Managers are also responsible for ensuring that each employee under their direction receives ECP training that has been established by the RPP-WTP Project training group.

5.3. RPP-WTP Project Organization Employees

Employees are responsible for ensuring that they understand and are able to apply the training they receive regarding the ECP. Employees are further encouraged to exercise their responsibility for reporting concerns of a safety, health, or environmental nature. Should the employee choose to report a concern anonymously, the employee is responsible for periodically contacting the ECP staff to learn the status of the concern.

6. References

1. 10 CFR 708, Contractor Employee Protection Program
2. 29 CFR 24, Procedures for the Handling of Discrimination Complaints Under Federal Employee Protection Statutes
3. RLID 5480.29, RL Employee Concerns Program